2

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

A STATE OF THE PARTY OF THE PAR
USDC SDNY
DOCUMENT
FI ECTRONICALLY FILED
DOC #:
DATE FILED: 1/28/08
The state of the s

21 MC 102 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York December 14, 2007

> SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD. Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York, One Wall Street Holdings LLC 4101 Austin Blvd. Corporation, The Bank of New York

Trust Company, N.A.

By: Christian H. Gannon (CG-1621) 830 Third Avenue, Suite 400 New York, New York 10022 (212) 651-1500

WORBY GRONER EDELMAN & NAPOLI BERN Attorneys for Plaintiff

Christopher R. Lopalo, Esq. (CL-6466) 115 Broadway, 12th Floor: New York, New York 10006

(212) 267-3700

VIN K. HELLERSTEIN

STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

Plaintiff Name Index # All (AKH)	FOR THE FOLLOWING PLAINTIFFS:				
Adriano, Luis 07CV4445 3 Agudelo, Gladys 07CV4446 4 Ali, Enrique 07CV01554 5 Allivar, Raul 05CV9821 6 Alvarez, Maria 05CV10135 7 Alvarracin, Jose 07CV01556 8 Asencio, Ivan 07CV,1460 9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV05336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV05280 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV01602 26 Drake, Jesse 07CV05353		Plaintiff Name	1		
2 Adriano, Luis 07CV4445 3 Agudelo, Gladys 07CV4446 4 Ali, Enrique 07CV01554 5 Allivar, Raul 05CV9821 6 Alvarez, Maria 05CV10135 7 Alvarracin, Jose 07CV01556 8 Asencio, Ivan 07CV,1460 9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV5336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV05280 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV1473 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV01602 26 Drake, Jesse 07CV05353	1	Acosta, Byron	07CV1552		
3 Agudelo, Gladys 07CV4446 4 Ali, Enrique 07CV01554 5 Allivar, Raul 05CV9821 6 Alvarez, Maria 05CV10135 7 Alvarracin, Jose 07CV01556 8 Asencio, Ivan 07CV,1460 9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV05336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV05280 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05353 26 Drake, Jesse 07CV05353		Adriano, Luis	07CV4445		
5 Allivar, Raul 05CV9821 6 Alvarez, Maria 05CV10135 7 Alvarracin, Jose 07CV01556 8 Asencio, Ivan 07CV,1460 9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV05336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV05353 Drake, Jesse 07CV05353		Agudelo, Gladys	07CV4446		
5 Allivar, Raul 05CV9821 6 Alvarez, Maria 05CV10135 7 Alvarracin, Jose 07CV01556 8 Asencio, Ivan 07CV,1460 9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV05336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV05353 Drake, Jesse 07CV05353	4	Ali, Enrique	07CV01554		
7 Alvarracin, Jose 07CV01556 8 Asencio, Ivan 07CV,1460 9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV05336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV01575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01533		Allivar, Raul	05CV9821		
8 Asencio, Ivan 07CV1460 9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV05336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Callero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV01602 25 Dota, Clara 07CV05353	. 6	Alvarez, Maria	05CV10135		
9 Atencia, Marcelo 07CV01562 10 Bailon, Peter B. 07CV05336 11 Barahona, Jose 07CV5550 12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV01602 25 Dota, Clara 07CV05353		Alvarracin, Jose	07CV01556		
Bailon, Peter B. 07CV05336 11	8	Asencio, Ivan	07CV,1460		
Barahona, Jose 07CV5550 Betancourt, Hector 07CV4453 Burgos, Leopoldo 07CV1473 Caguana, Manuel 06CV11968 15	9	Atencia, Marcelo	07CV01562		
12 Betancourt, Hector 07CV4453 13 Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353 07CV0	10	Bailon, Peter B.	07CV05336		
Burgos, Leopoldo 07CV1473 14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	11	Barahona, Jose	07CV5550		
14 Caguana, Manuel 06CV11968 15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	12	Betancourt, Hector	07CV4453		
15 Calero, Ivan 07CV1575 16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	13	Burgos, Leopoldo	07CV1473		
16 Calle, Wilson 07CV01578 17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	14	Caguana, Manuel	06CV11968		
17 Campoverde, Rey R. 07CV05280 18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	15	Calero, Ivan	07CV1575		
18 Campozano, Rodrigo 07CV4459 19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	16	Calle, Wilson	07CV01578		
19 Cardenas, Edison 07CV1580 20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	17	Campoverde, Rey R.	07CV05280		
20 Castillo, Silvia 05CV1718 21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	18	Campozano, Rodrigo	07CV4459		
21 Chuva, Nancy 07CV01589 22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	19	Cardenas, Edison	07CV1580		
22 Cintron, Yolanda 06CV5631 23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	20	Castillo, Silvia	05CV1718		
23 Cortez, Jorge E. 07CV05394 24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	21	Chuva, Nancy	07CV01589		
24 Criollo, Nancy 07CV4462 25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	22				
25 Dota, Clara 07CV01602 26 Drake, Jesse 07CV05353	23				
26 Drake, Jesse 07CV05353	24	Criollo, Nancy	07CV4462		
D	25		07CV01602		
Duarte, Inerva 07CV01603	26				
	27	Duarte, Inerva	07CV01603		
28 Dutan, Elvia and Wilfredo 07CV1606	28		07CV1606		
29 Encalada, Jorge 07CV1607	29				
30 Franco, Luis 07CV4466	30	Franco, Luis	07CV4466		

31	Frelas, Janina	07CV01612
32	Gallardo, Norberto	07CV05290
33	Garcia, Viviana	07CV1617
34	Gaspar, Peter	05CV10739
35	Giamo, Samuel T.	06CV11676
36	Giraldo, Hitien E.	07CV5554
37	Gualpa, Rosa	07CV4472
38	Guzman, Armando	07CV5556
. 39	Hernando, Avenia	07CV4473
40	Hurtado, Julio	07CV05295
41	Idrovo, Edgar	07CV1627
42	Idrovo, Manuel	07CV01628
43	Inga, Jorge	07CV01629
44	Jablonski, Jozef	07CV01630
45	Jaramillo, Jonas	06CV14746
46	Karus, Marian	07CV01635
47	Lascano, Ana	05CV9333
48	Lasica, Andrezej	07CV4480
49	Lenis, Carlos	06CV10045
50	Leon, Cesar	07CV063
51	Leon, Ines	07CV4481
52	Loja, Wilmo	07CV4482
53	Lucero, Fernando	07CV05366
54	Medina, Rosa	07CV4491
55	Melendez, Maria	07CV05397
56	Mendez, Juan	07CV01664
57	Merchan, Carlos	07CV01665
58	Mora, Eugenio	06CV13168
59	Morales, Tatiana	07CV05370
60	Moreno, Sandra	07CV1670
61	Naranjo, Luis	07CV00082
62	Naranjo, Walter	07CV04496
63	Negrete, Oscar	07CV05371
64	O'Connell, Sean	07CV05374
65	Palaguachi, Rosa	07CV1680
66	Reynolds, David	07CV3446

67 Rhoden, Marcel

68 Riera, Maximo

69 Rodas, Patricio

07CV05311

07CV1519

07CV01694

70	Rojas, Jaime	07CV4511
71	Salazar, Victor	07CV4512
72	Sanchez, Edilberto	07CV05384
73	Sanchez, Rosa	06CV12488
74	Santamaria, Emanuel	07CV1528
75	Sarmiento, Edwin	07CV4515
76	Sarmiento, Galo	07CV1529
77	Serrano, Theresa	05CV8937
78	Siguencia, Raul	07CV1533
79	Suarez, Felipe	07CV1707
80	Samuel Sumba	07CV1710
81	Teham, Nicholas	07CV5564
82	Tenezaca, Julia	07CV1714
83	Teran, Cesareo	07CV05389
84	Thorpe, Jeanne	07CV1715
85	Vasquez, Rommel	07CV1543
86	Vazquez, Kattia	07CV1722
87	Vega, Severo	07CV4521
88	Villarroel, Segundo	07CV1546
89	Villarruel, Kleber (Paredes)	06CV13703
90	Walsh, Kevin	06CV12608
91	Waniurski, Robert	07CV4525
92	Watson, Ancil	07CV05391
93	Wragg, Clarence	06CV8125